

2174/IFed

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re application: Kaply et al.

Serial No.: 09/884,493

Filed: June 18, 2001

For: Method and Apparatus for
Removing Confidential Information from
a History

§
§
§
§
§
§
§
§
§
§

Group Art Unit: 2174

Examiner: Nguyen, Anh T.

Attorney Docket No.: AUS920010544US1

Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Certificate of Mailing Under 37 C.F.R. § 1.8(a)

I hereby certify this correspondence is being deposited with the United States Postal Service as First Class mail in an envelope addressed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on August 8, 2005.

By: _____

Dell Whitton

**PETITION TO WITHDRAW HOLDING OF ABANDONMENT
OFFICE ACTION NOT RECEIVED**

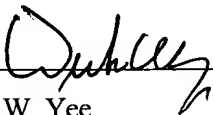
I hereby petition to withdraw the holding of abandonment in this case, on the basis that the Office Action forming the basis of the abandonment was not received. I hereby state: (a) the Office Action indicated by the USPTO's Patent Application Information Retrieval system, as mailed on October 6, 2004, was not received; and (b) a search of the file jacket and the docket records in my office indicates that this Office Action was not received.

I attach a copy of the docket record where the non-received Office Action would have been entered had it been received and docketed. As additional evidence of non-receipt of the Office Action, I also attach a statement from the person who would have handled the Office Action had it been received.

In consideration of these submissions, it is respectfully requested that the holding of abandonment be withdrawn, the Office Action as mailed on October 6, 2004, be re-dated and mailed so that our office can respond in a timely manner.

No fees are believed to be necessary. If, however, any fees are required, I authorize the Commissioner to charge these fees which may be required to IBM Corporation Deposit Account No. 09-0447.

Respectfully submitted,



Duke W. Yee
Reg. No. 34,285
Yee & Associates, P.C.
P.O. Box 802333
Dallas, TX 75380
972/385-8777
Attorney for Applicants



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: **Kaply et al.**

Serial No.: 09/884,493

Filed: June 18, 2001

For: **Method and Apparatus for
Removing Confidential Information
from a History**

35525

PATENT TRADEMARK OFFICE
CUSTOMER NUMBER

§ Group Art Unit: 2174

§

§ Examiner: **Nguyen, Anh T.**

§

§ Attorney Docket No.: **AUS920010544US1**

§

Certificate of Mailing Under 37 C.F.R. § 1.8(a)

I hereby certify this correspondence is being deposited with the United States Postal Service as First Class mail in an envelope addressed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on August 8, 2005.

By:

Dell Whitton
Dell Whitton

TRANSMITTAL DOCUMENT

Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

ENCLOSED HEREWITH:

- Petition to Withdraw Holding of Abandonment;
- Affidavit from Francis Lammes, Patent Agent;
- Affidavit from Monica Gamez, Legal Assistant;
- Case History Report;
- Copy of case file index; and
- Our return postcard.

No fees are believed to be necessary. If, however, any fees are required, I authorize the Commissioner to charge these fees which may be required to IBM Corporation Deposit Account No. 09-0447.

Respectfully submitted,

Duke W. Yee

Duke W. Yee

Registration No. 34,285

YEE & ASSOCIATES, P.C.

P.O. Box 802333

Dallas, Texas 75380

(972) 385-8777

ATTORNEY FOR APPLICANTS



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Kaply et al.

Serial No.: 09/884,493

Filed: June 18, 2001

For: Method and Apparatus for
Removing Confidential Information
from a History

§

§ Group Art Unit: 2174

§

§ Examiner: Nguyen, Anh T.

§

§ Attorney Docket No.: AUS920010544US1

§

AFFIDAVIT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, Francis Lammes, being of sound mind and legal age, and fully aware of the punishable nature of making untrue statements as Affiant herein, do hereby attest to personal knowledge of the following:

I am employed by the law firm of Yee & Associates, P.C. (the "Firm"), as a Patent Agent, in which capacity I handle patent prosecution matters for this application on behalf of the Firm and IBM Corporation (the "Client").

I am currently employed full time by the Firm and have no record of receipt of said Office Action dated October 6, 2004. Upon request by the Client on May 18, 2005, I investigated the status of the above referenced application using the United States Patent & Trademark Office's Patent Application Information Retrieval system. I found that a Final Office Action was issued October 6,

2004 and the Final Office Action was returned to the United States Patent & Trademark Office on October 19, 2004. Upon realizing the time for reply to the Final Office Action had expired and that the above referenced application was in an abandoned state, I contacted the Examiner and inquired as to what action should be pursued on behalf of the Client. I was informed by the Examiner that a Notice of Abandonment would be timely issued and, upon receipt, the Client could petition for revival. To date, there has been no issuance of a Notice of Abandonment by the United States Patent & Trademark Office.

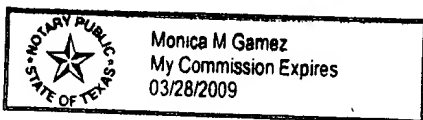
Sworn to and attested as follows at Dallas, Texas on August 8, 2005:

AFFIANT:

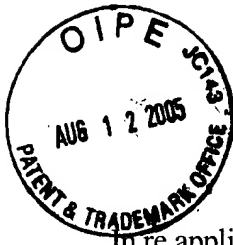
Francis Lammes

Francis Lammes

On this the 8th day of August, 2005, personally appeared before me Francis Lammes, to me known to be the person named in and who executed the above instrument, and acknowledged that she executed the same for the uses and purposes therein mentioned.



Monica M. Gamez
Notary Public
My commission expires: 03/28/09



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: **Kaply et al.**

Serial No.: **09/884,493**

Filed: **June 18, 2001**

For: **Method and Apparatus for
Removing Confidential Information
from a History**

§
§
§
§
§
§
§
§
§

Group Art Unit: **2174**

Examiner: **Nguyen, Anh T.**

Attorney Docket No.: **AUS920010544US1**

AFFIDAVIT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, Monica Gamez, being of sound mind and legal age, and fully aware of the punishable nature of making untrue statements as Affiant herein, do hereby attest to personal knowledge of the following:

I am employed by the law firm of Yee & Associates, P.C. (the "Firm"), as a Legal Assistant, in which capacity I personally receive all client related materials requiring further action and docketing on behalf of the Firm and IBM Corporation (the "Client").

I am currently employed full time by the Firm and have no record of receipt of said Office Action dated October 6, 2004. Upon notification by the Firm agent, Francis Lammes, that the application had gone abandoned, I immediately reviewed our docketing system and no office action was received.

When an office action is received, I immediately enter it into the docketing system the Firm uses and forward a copy to our client. I then forward the office action for assignment to one of the

Firm's attorneys or agents. The docketing system the Firm uses does have a specific place to enter when an office action is received, and the office action dated October 6, 2004, does not appear on the Case History Report attached hereto. The office action dated October 6, 2004, is also not listed on the case index of the case file, as shown on the attached index for this particular case.

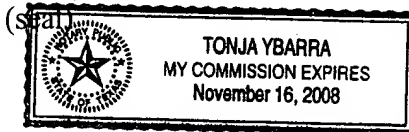
Sworn to and attested as follows at Dallas, Texas on Monday, August 8, 2005:

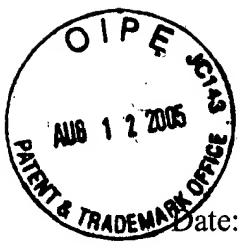
AFFIANT:

Monica Gamez
Monica Gamez

On this the 8th day of August, 2005, personally appeared before me Monica Gamez, to me known to be the person named in and who executed the above instrument, and acknowledged that she executed the same for the uses and purposes therein mentioned.

Tonja Ybarra
Notary Public
My commission expires: November 16, 2008





Case Tracking System
Case History Report

Date: August 1, 2005

U.S. Patent Case

Case Number: **AUS920010544US1**
Priority Case Number: (none)
Client: IBM Corporation - Austin

Status: **Pending**

Application Serial Number: 09/884,493

Filing Date: 6/18/2001

Application Type: Utility

Title: Method and Apparatus for Removing Confidential Information from a History

Sr. Attorney Id: DWY

Primary Attorney Id: (none)

Administrator Id: KDD

Last Office Action

Date Mailed by PTO: 3/12/2004

Date Due: 6/14/2004

Date Sent: 6/14/2004

Last Date to File: 9/13/2004

Date Recvd in PTO: 6/17/2004

Item	Due	Completed
File New Application		6/18/2001
File Formal Drawings	8/20/2001	9/5/2001
Formal Drawings Postcard due	11/5/2001	Received
Office Action Received	3/12/2004	3/12/2004
Response Sent	6/14/2004	6/14/2004
Office Action Postcard Due	7/14/2004	Received
Receive Office Action	10/17/2004	
AUS920010545US1 and AUS920010546US1 are related - USA	1/3/2005	



IBM CORPORATION
AUS920010544US1

**METHOD AND APPARATUS FOR REMOVING CONFIDENTIAL
INFORMATION FROM A HISTORY**

1.	PATENT APPLICATION	06/18/01
2.	FILING RECEIPT	06/18/01
3.	NOTICE OF RECORDATION	06/18/01
4.	LETTER TO THE OFFICIAL DRAFTSMAN	09/05/01
5.	NOTICE OF PUBLICATION OF APPLICATION	12/19/02
6.	OFFICE ACTION	03/12/04
7.	RESPONSE TO OFFICE ACTION IDS	06/14/04
8.	INTERVIEW SUMMARY	06/22/04
9.	SUPPLEMENTAL IDS	08/05/04
10.	SUPPLEMENTAL IDS	03/09/05